

875—218.305(91D) Discretion and judgment.

218.305(1) Under rule 218.3(91D), a professional employee must perform work which requires the consistent exercise of discretion and judgment in its performance.

218.305(2) A prime characteristic of professional work is that the employee does apply the employee's special knowledge or talents with discretion and judgment. Purely mechanical or routine work is not professional.

SOURCE: 29 CFR 541.305.